

# NICHOLAS GOODMAN & ASSOCIATES, PLLC

333 PARK AVENUE SOUTH, SUITE 3 A  
NEW YORK, N.Y. 10010

H. NICHOLAS GOODMAN

PATRICK L. SELVEY, JR.

(212) 227-9003

CAMILLE M. ABATE  
OF COUNSEL

DUANA M. RIVERA  
PARALEGAL/OFFICE MANAGER



LORNA G. SCHOFIELD

UNITED STATES DISTRICT JUDGE

March 22, 2022

**Via ECF**

Hon. Lorna G. Schofield, U.S.D.J.  
U.S. District Court, Southern District of N.Y.  
500 Pearl Street  
New York, New York 10007

Application granted in part. Defendants' deadline to answer or otherwise respond to the complaint is extended to April 8, 2022. The initial pretrial conference scheduled for April 13, 2022, is adjourned to April 27, 2022, at 4:00 P.M. The parties shall call (888)363-4749 and enter the access code 558-3333. The parties shall file the joint letter and the proposed case management plan by April 20, 2022.

**Re: Coleman v. 26 Motors Corp., et al  
Civil Action No. 1:21-cv-10537(LGS)(JLC)**

Dated: March 23, 2022

New York, New York

Dear Judge Schofield,

This firm represents Defendants 26 Motors Corp. ("26 Motors") and JPMorgan Chase Bank, N.A. ("Chase") (collectively "Defendants") in the above referenced action. With Plaintiff's counsel's consent, Defendants respectfully request an extension of time to answer or otherwise respond to Plaintiff's Complaint to April 8, 2022. This is Defendants' second request for an extension of time, Your Honor having previously extended Defendants' time to answer or respond to today.

Recent developments warrant a second extension. Specifically, Defendants have demanded that Plaintiff consent to binding arbitration pursuant to the Retail Installment Contract at issue in this case. Plaintiff's counsel advised that he would consider that demand but could not respond immediately stating that he would have an answer no later than March 31, 2022. Plaintiff's response will of course dictate whether this case will continue before Your Honor, and if so whether the next step will be a motion by Defendants' to compel arbitration.

Further, Defendants served Plaintiff's counsel with a Rule 68 Offer of Judgment along with certain information and limited documentation for Plaintiff's consideration. Defendants' Offer of Judgment will remain open until April 4, 2022.

The requested extension would affect the deadlines set in Your Honor's February 23, 2022, Order (Docket #13) that calls for the parties to submit a joint letter and case management plan on April 6, 2022, and to participate in telephonic conference on April 13, 2022. The parties respectfully request that Your Honor extend the deadline for the joint letter to May 2, 3, or 4, 2022, and the date for the telephonic conference to May 9, 10, or 11, 2022, all of course subject to Your Honor's calendar and convenience.

**NICHOLAS GOODMAN & ASSOCIATES, PLLC**

Plaintiff's counsel Craig Marchiando has read this letter, approved its content and consents to the requests herein.

Thank you for your consideration in this matter.

Respectfully submitted,



H. Nicholas Goodman

cc: Counsel of Record (via ECF)